

Senate Bill No. 2051

September Special Session, Public Act No. 09-3

**AN ACT IMPLEMENTING THE PROVISIONS OF THE BUDGET CONCERNING
PUBLIC HEALTH AND MAKING CHANGES TO VARIOUS HEALTH STATUTES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Sec. 57. (*Effective from passage*) (a) There is established an advisory committee for reimbursements for services under programs administered by the Department of Developmental Services. The advisory committee shall consist of: (1) The chairpersons and ranking members of the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies, human services and public health; (2) the chairpersons and ranking members of the health subcommittee of the joint standing committee of the General Assembly having cognizance of matters relating to appropriations; (3) one member who is the Governor's designee; (4) the Commissioner of Developmental Services, or the commissioner's designee; (5) one member from the Office of Policy and Management, appointed by the Secretary of the Office of Policy and Management; (6) one member from the Medicaid unit of the Department of Social Services, who has oversight over developmental services reimbursements, appointed by the Commissioner of Social Services; (7) the chief executive officer of the Connecticut Community Providers Association, or the chief executive officer's designee; (8) the executive director of the Connecticut Association of Nonprofits, or the executive director's designee; (9) the executive director of the ARC of Connecticut, or the executive director's designee; (10) one member who is a chief financial officer from a community provider organization, appointed by the executive director of the Connecticut Community Providers Association; (11) one member who is an information technology officer from a community provider organization, appointed by the executive director of the Connecticut Association of Nonprofits; (12) one member appointed by the president of the labor organization that represents the majority of the workers who perform the services pursuant to these programs; (13) one member who is an employee of the Department of Developmental Services operations staff, appointed by the Commissioner of Developmental Services; (14) one member who is an employee of the Department of Developmental Services information technology staff, appointed by the Commissioner of Developmental Services; and (15) one member who is an employee of the Department of Developmental Services audit unit staff, appointed by the Commissioner of Developmental Services.

(b) The advisory committee shall study the impact of a shift from master contracts to attendance-based, fee-for-service reimbursement in programs administered by the Department of Developmental Services. Such study shall include, but not be limited to, the following: (1) Methodologies that ensure that providers continue to receive reimbursements through the existing system while analysis of an attendance-based, fee-

for-service reimbursement program is studied; (2) participation by a large and diverse group of providers based upon such providers' reimbursement rates and attendance rates; (3) review of the appropriateness of the level of need tool, the process for completing level of need tools, level of need scores, the methodology for linking levels of needs to funding and the process for appealing a level of need score; (4) review of the appropriateness of the current reimbursement rates; (5) identification of the costs to move lower wage providers to a standard wage rate while at the same time holding harmless the higher wage providers; (6) analysis of attendance factors based upon the health of clients and staff vacation time, holidays, personal time off and paid time off; (7) identification of a reasonable attendance factor that would keep providers whole and maintain philosophies of normalization and integration; (8) determination of the appropriate reimbursement models for transportation; (9) review of billing systems and documentation systems to identify information technology hardware and software and related costs; (10) identification of mechanisms to maintain appropriate cash flow to providers; (11) identification of mechanisms for increasing rates in a systematic way to keep pace with growing costs of services; and (12) examination of efficiencies in the service delivery system for people with developmental disabilities.

(c) All appointments to the advisory committee shall be made no later than thirty days after the effective date of this section. Any vacancy shall be filled by the appointing authority.

(d) The speaker of the House of Representatives and the president pro tempore of the Senate shall select the chairpersons of the advisory committee, from among the members of said committee. Such chairpersons shall schedule the first meeting of said committee, which shall be held no later than sixty days after the effective date of this section.

(e) The administrative staff of the Department of Developmental Services shall serve as administrative staff of the advisory committee.

(f) Not later than January 1, 2011, the advisory committee shall submit a report on its findings and recommendations to the joint standing committee of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies, human services and public health in accordance with the provisions of section 11-4a of the general statutes. The advisory committee shall terminate on the date that it submits such report or January 1, 2011, whichever is later.